GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Registration and Stamps - Surprise check conducted on the O/o Joint Sub-Registrar, Gudur, SPSR Nellore District on 29.07.2019 – Allegation of corruption criminal misconduct – Common disciplinary proceeding initiated - Initiation of Disciplinary Proceedings against Smt.A.Bhanumathi, Senior Assistant, O/o Joint Sub-Registrar-II, Gudur, SPSR Nellore District under Rule 20 of APCS (CCA) Rules, 1991 – Articles of Charges - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.221 Dated:31-03-2022
Read:-

G.O.Ms.No.162, Revenue (Vig.II) Department, Dated:31-03-2022.

&

ORDER:

In continuation of orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control Appeal) Rules, 1991 in the G.O. read above, it is considered necessary to hold an enquiry against Smt.A.Bhanumathi, Senior Assistant, O/o Joint Sub-Registrar-II, Gudur, SPSR Nellore District in accordance with the procedure laid down in Rule 20 of the said rules.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Smt.A.Bhanumathi, Senior Assistant, O/o Joint Sub-Registrar-II, Gudur, SPSR Nellore District is directed to submit within ten days of the receipt of this Order a written statement of her defence.

4. Smt.A.Bhanumathi, Senior Assistant, O/o Joint Sub-Registrar-II, Gudur, SPSR Nellore District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. She should, therefore, specifically admit or deny each article of charge.

5. Smt.A.Bhanumathi, Senior Assistant, O/o Joint Sub-Registrar-II, Gudur, SPSR Nellore District is further informed that if she does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Smt.A.Bhanumathi, Senior Assistant, O/o Joint Sub-Registrar-II, Gudur, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to her service under Government. If any representation is received on her behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that she is aware of such a representation and that it has been made at his instance and action will be taken against her for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Smt.A.Bhanumathi, Senior Assistant, O/o Joint Sub-Registrar-II, Gudur, SPSR Nellore District (Enclosed Annexures I to IV) through the Deputy Inspector General, Registration & Stamps, SPSR Nellore District. (with a request to serve the order on the individual and send the served copy with dated signature to Government).

Copy to:

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.

The Deputy Inspector General, Registration & Stamps, SPSR Nellore District.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SMT A. BHANUMATHI, SENIOR ASSISTANT, I/C JOINT SUB-REGISTRAR-I, GUDUR, SPSR NELLORE DISTRICT.

That Smt. A.Bhanuamthi, Senior Assistant, I/C Joint Sub-Registrar-1, Gudur, SPSR Nellore District (hereinafter referred as Government Servant) while function as such during the period between 24.09.2018 to 11.07.2019 as Senior Assistant and from 11.07.2019 to 29.07.2019 as I/c Joint Sub-Registrar-1 (till the date of Surprise-Check) committed grave misconduct in as much as:

Charge:

1. She Colluded with her office staff and allowed Seven Document Writers /Assistants in the premises of the Joint Sub-Registrar, Gudur and collected Rs. 60,000/- through them on 29.07.2019 as fee to fee mamools in addition to the government fees from the parties of registration who came for registration of their properties.
2. Unaccounted amount of total Rs. 79,150/- was found at the time of Surprise Check on 29.07.2019 inside the office premises.
3. She failed to maintain updated Account 'B' 'C' Registers. The Surprise check was conducted on 29.07.2019, but the Account 'B' register last entry was made on 21.06.19 and Account 'C' register last entry was made on 15.07.2019.

Thus, Smt. A.Bhanuamthi, Senior Assistant, I/C Joint Sub-Registrar-I, Gudur, SPSR Nellore District by her above-mentioned acts has exhibited a lack of integrity, devotion to duty and conduct unbecoming of Government servant and thereby contravened Rules 3 (1) (2) of APCS (Conduct) Rules, 1964.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SMT A. BHANUMATHI, SENIOR ASSISTANT, I/C JOINT SUB-REGISTRAR-1, GUDUR, SPSR NELLORE DISTRICT.

Smt. A.Bhanumathi, Senior Assistant, I/C Joint Sub-Registrar-1, Gudur, SPSR Nellore District is a native of Nellore. Her date of birth is 01.07.1971. She joined the Government service on 28.11.1997 as Junior Assistant at the SRO, Udayagiri. After that, she worked at Gudur and Nellore in Nellore District. She was promoted as Senior Assistant on 14.05.2008 and was posted at Gudur, Nellore District. On 01.01.2015 she was further promoted as a Sub-Registrar and posted at Kota and subsequently reverted as senior Assistant on 04.05.2018 and posted at RO(O.B) Gudur. Since then, she has been working as I/C Joint Sub-Registrar-1, Gudur, SPSR Nellore District. Her date of retirement on attaining the age of superannuation is 30.06.2031. She is here-in-after referred to as Government Servant.

CHARGE:

That the government servant has abused her official position and committed the following irregularities:

1. She colluded with her office staff and allowed Seven Document Writers /Assistants in the premises of the Joint Sub-Registrar, Gudur and collected Rs. 60,000/- through them on 29.07.2019 as fee to fee mamools in addition to the government fees from the parties of registration who came for registration of their properties.
2. Un-accounted amount of total Rs. 79,150/- was found at the time of Surprise Check on 29.07.2019 inside the office premises.
3. She failed to maintain & updated Account 'B' & 'C' Registers. The Surprise check was conducted on 29.07.2019, but the Account 'B' register last entry was made on 21.06.19 and Account 'C' register last entry was made on 15.07.2019.

FACTS AND EVIDENCE:

On credible information that the Joint Sub-Registrar & staff of the office of the Joint Sub Registrar, Gudur were indulging in corrupt practices by way of collecting bribe mamools (bribe) as commissions from the persons, who approach for registration in their office through the document writers, a team of ACB officials led by the DSP, ACB, Nellore Range conducted a surprise check of the Joint Sub-registrar office, Gudur in the presence of two mediators namely 1. Sri Rayaprolu Ramababu, S/o Late R. Narasimha Murthy, age.52 yrs, Occupation: Secretary, Nellore Municipal Corporation, Nellore R/o Krishna Mandiram 1st Crossroad, BV Nagar, Nellore city, SPSR Nellore District. 97042 58885 and 2. Sri Kosinapogu Nagendra S/o Late Salman, age.29 yrs, Occ: Jr. Asst., Nellore Municipal Corporation, Nellore city R/o Usman Sahebpet, Ramnagar, Nellore city, SPSR Nellore District. 95509 96853, Nellore city from 17.00 hours to 23.00 hours on 29.07.2019.

On seeing the surprise check party some person in the premises i.e., in the main hall, computer room and veranda of the O/o. the Joint Sub Registrar, Gudur tried to run away from the office. The DSP with the assistance of staff prevented them from escaping from the Joint Sub Registrar Ofice and segregated them as office staff, document writers and parties.

On the instructions of DSP, the persons who tried to run away from the hall (premises) of office of the Joint Sub-Registrar, Gudur disclosed their identity and at the request of DSP, they also produced the amounts available with them.

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S.No	Name and address of Private Persons	Amount found
1	Budidavaka Venkatarathnachari, S/o Krishnamachari, Age:41 Yrs, Occ: Document Writer, R/o Veerampalli Village, Manubolu Mandal, SPSR Nellore District. 9705431079	Rs.24,000/-
2	Vepakomma Mohan Krishna, S/o AchyuthaRao, Age: 60 Yrs, Occ: Document Writer, near LAP School, Gudur Town. 9440847881	Rs.4,300/-
3	Bandi Murali, S/o. Kallaiah, Age:45 Yrs, Occ: Document Writer, R/o D.No.15/148, Gudur Town. 9441094959	Rs.6,000/-
4	Dasari Dilip S/o Mastanaiah, Age:33 Yrs, Occ: Asst. at Document Writers, R/o Eguvaveerampalli Village, West Gudur, Nellore District. 9494646530	Rs.3300/-
5	Panguluru Surendra S/o Subbaraiah, Age:42 Yrs, Occ: Document Writer R/o 1/541, Janakiraopet, West Gudur, Nellore District. 9490831137	Rs.14,000/-
6	Pullakuru Penchala Prasad, S/o Peda Penchalaiah, Age: 31 Yrs, Occ: Computer Asst. at Document Writer, Akumpet Village, Manubolu Mandal, SPSR Nellore District. 8019356531.	Rs.3700/-
7	Dubagunta Venkata Chelamaiah, S/o Late Lakshmi Narasimha, Age:49 Yrs, Occ: Document Writer, R/o Vinduru Village & Post, Gudur Mandal, Nellore District.	Rs.4,700/-
	Total	**Rs.60,000/-**

The DSP, ACB asked in-charge Joint Sub-Registrar-1 Gudur Smt A. Bhanumathi about the presence of private persons/document writers and their assistants in the office against the Rules & Provisions, she kept silent and she did not give any reply.

During searches, the DSP, ACB also found and seized

1. An amount of **Rs.30,150/-** which was found on the left side of the Dias of Smt. A.Bhanumaathi, the I/C Joint Sub-Registrar, Gudur.
2. An amount of Rs.**19,000/-** which was found under the wooden bench in the main hall, besides that the two office sub-ordinates namely (A) A.Pradeepkumar & (B) K.Srinu (Outsourcing) are standing.
3. An amount of Rs.**5,000/- which** was found in the leather handbag of Smt. A.Bhanumathi, I/C Joint-Sub-Registrar-1, Gudur & one small written chitty (Slip) mentioning various amounts to be received from the document writers and others and deducted some amounts on the name of DR, JA, OS and other particulars. On examination, she admitted that the particulars were written by her in the chit with her handwriting and she did not enter the possession of Rs.5,000/- in the personal cash register. Hence the DSP seized Rs.5,000/- along with the chit for further enquiry.
4. An amount of Rs. **25,000/-** which was found in a dust bin, which was kept under a table at the computer server room in which K.Kiranmayi, Jr. Asst. and K.Satyanarayan Murthy, Jr. Asst. (Out Sourcing) are sitting and working in the Sub-Registrar office, Gudur, **Total of Rs.79,150/-.**

The said amounts were collected by the staff from the claimants as well as document writers/assistants to do the work of claimants. The total amounts were seized for further enquiry. When questioned by the DSP, all the above staff stated in the presence of mediators that they had nothing to do with the said amounts. The explanations of the staff of Registrar Office, Gudur are not satisfactory.

The DSP, ACB instructed Sri B.Ramesh Babu, Inspector ACB to call the District Registrar, Gudur over the phone and inform him about the surprise check and requested to come to the Office of Sub-Registrar, Gudur. On that the District Registrar Sri Choppa Gangi Reddy S/o. Chengal Reddy, 59 yrs, District Registrar, Stamps & Registration Department, Guduru arrived. On examination, he stated

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about procedures, rules and regulations that existed in the Department, further pointed out irregularities that are committed by the staff and I/C SRO, stating that the presence of any mediator or document writer or their assistants inside the Registration Office is not permitted at the time of Registrations. Only the parties who come for the registration of documents, encumbrance certificates, certified copies and people approaching for any other information are only allowed. He specifically stated that licensing system of document writers is not there in the department. Hence the presence of document writers and their assistants noted above is irregular and nothing but a violation of existed rules. Moreover, they came with the mamools/bribes collected from the claimants to pay to the I/C Sub-Registrar and their staff is highly objectionable and liable on their part. He also stated that the temporary I/C Sub-Registrar is responsible to update records that are being maintained in the Registrar office.

The District Registrar further stated that as per the Govt., orders the Sub-Registrar is responsible/accountable if any amount other than declared in the personal cash register is found with any of the staff in the office. Hence, the I/C SRO and staff are personally responsible for the presence of excess amounts either at their seats or at their nearby.

The District Registrar further stated that he assumed charge on 11.07.2019 at that time Smt A. Bhanumathi, Sr.Asst., was acted as I/C Jt. Sub-Registrar-I, Gudur from 09.07.2019 on the oral instructions of the then-District Registrar, Gudur.

Sri Jaganmohan Rao, Sr. Asst. has been working as I/C Jt. SRO-II, Gudur since 19.07.2019 on his oral instructions. When DSP, ACB, Nellore asked about the whereabouts of Sri Jaganmohanrao, the Jt. Registrar-II, Gudur and the District Registrar replied that the said Jaganmohan Rao, I/C Jt.SRO-II did not obtain any leave or permission from him.

The DSP, ACB verified the following registers:

Account 'A' register (Daily Account of Registration in books 1,3 & 4 and fees realized thereon) -On perusal, it consists of 300 pages and is written up to the 14th page. This register has been maintaining since 11.07.19 in Vol. No.112. The last entry was made on 29.07.19; on that day Rs.1320/- was collected towards the amount of transfer duty collected and thereafter no entry in the register.

Account 'B' register (Daily Account of Receipts other than fees for registration and searches and copies) – On perusal, it consists of 200 pages and is written up to 44 pages. This register has been maintaining since 29.11.2011 in Vol. No.24. The last entry was made on 21.06.19

Account 'C' register (Cash Book) - On perusal, the register has 100 sheets and written up to 38 sheets. It has been maintaining since 24.12.2018 in Vol. No.42. The last entry was made on 15.07.2019.

The copies of the above registers were seized and duly attest by the Sub-Registrar Smt A.Bhanumathi.

Later, the DSP, ACB, Nellore observed the scene of offence and prepared the rough sketch duly attested by the mediators and the DSP, ACB, Nellore.

The proceedings were concluded at about 23.00 hours on 29.07.2019. Copy of the proceedings was handed over to the Joint Sub-Registrar-1, Gudur under proper acknowledgement.

The enquiry was later entrusted to Sri. B.Ramesh Babu, Inspector, ACB, Nellore. The Inspector, ACB, Nellore obtained the service particulars and duty charts of suspected officers from the District Registrar, Nellore, SPSR Nellore District vide letter No.E1/813/2019 dated 01.08.2019 which is on record.

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Later, the Inspector, ACB, Nellore obtained Letter No.E1/813/2019, Dated: 17.09.2019, from the District Registrar, Gudur about the Circulars regarding possession of unaccounted cash and allowing unauthorized persons in the office. The District Registrar, Gudur furnished Memo No.X2/10708/1994, Dated: 30.12.1997 of The Commissioner and Inspector General of Regn., and Stamps. The said memo elucidates that in all cases of surprise check where unaccounted cash is found with the unauthorized persons in the office, the normal presumption shall be that it is the illegal amount obtained as a bribe from the parties and the onus of disproving the same will be on Charged Officer.

Later, the District Registrar, Gudur, SPSR Nellore District furnished a Letter No.G1/907/2020, Dated: 04.01.2021 along with G.O.Ms.No.200, Dt.26.03.2007 of GAD, Govt., Circular Memo. No.40254/Vig.VI(1) 2008, dt.29.09.2008 and Circular Memo. No. CARD2/ 5979/2003, dt.18.04.2013. which elucidates that all the Departments dealing with the cash including revenue collecting departments shall give a declaration of personal cash at the time of reporting to the duty if more than Rs.500/- and Cash may be declared while on tour if more than Rs.10,000/-

During surprise check, Smt. A.Bhanumathi, Sr.Asst., acting as in-charge Joint Sub-Registrar-I, Gudur & District Registrar Sri Choppa Gangireddy were examined and recorded their statements in surprise check proceedings in the presence of mediators. The above statements indicate that Smt. A.Bhanumathi was the in-charge of Jt. SRO-I, Gudur from 09.07.2019 on the oral instructions of the District Registrar Gudur. The Inspector, ACB, Nellore also obtained a written reply from District Registrar, Gudur vide letter No.E1/813/2019, dt.31.07.2019, which declares that Smt. A.Bhanumathi, Sr.Asst., was the in-charge of Joint Sub-Registrar-I, Gudur as on the date of surprise check.

During the surprise check, the DSP, ACB, Nellore Range noticed the following irregularities:

I) The Government Servant colluded with her office staff, and allowed Seven Document Writers /Assistants in the premises of the Joint Sub-Registrar, Gudur and collected Rs. 60,000/- through them on 29.07.2019 as fee to fee mamools in addition to the government fees from the parties of registration who came for registration of their properties.

This is proved from the following evidence:

1. Seven document writers/assistants by names 1) Sri Budidavaka Venkatarathnachari, S/o Krishnamachari, Age:41 Yrs, Occ: Document Writer, R/o Veerampalli Village, ManuboluMandal, SPSR Nellore District, 2) Sri Vepakomma Mohan Krishna, S/o AchyuthaRao, age. 60 Yrs, Occ: Document Writer, near LAP School, Gudur Town, 3) Sri Bandi Murali, S/o. Kallaiah, Age: 45 yrs, Occ: Document Writer, R/o D.No.15/148, Gudur Town, 4) Sri Dasari Dilip S/o Mastanaiahm, age.33 yrs, Occ: Asst. at Document writers, R/o Eguvaveerampalli Village, West Gudur, Nellore District, 5) Sri Panguluru Surendra S/o Subbaraiah, Age: 42 Yrs, Occ: Document writer R/o 1/541, Janaki Rao pet, West Gudur, Nellore District, 6) Sri Pullakuru Penchala Prasad, S/o Peda Penchalaiah, Age: 31 Yrs, Occ: Computer Asst. at Document writer, Akumpet Village, Manubolu Mandal, SPSR Nellore District and 7) Sri Dubagunta Venkata Chelamaiah, S/o Late Lakshmi Narasimha, Age: 49 yrs, Occ: Document Writer, R/o Vinduru Village & Post, Gudur Mandal, SPSR Nellore District who were present on the day of Surprise Check i.e., on 29.07.2019 were examined. On examination of the above seven document writers/assistants, they stated in one tone that they used to collect mamools on behalf of I/C Jt. SRO from persons who usually approach the Registrar Office for registrations. After documentation work, they will give the collected amounts to Smt. A. Bhanumathi, I/C Joint Sub-Registrar-1, O/o the Joint Sub-Registrar, Gudur. Their detailed statements were given in the Oral evidence.
2. As per Circular Memo No.X2/10708/94 Dt:30-12-1997 of the Commissioner & I.G. of Registration and Stamps, A.P, Hyderabad, it was instructed that in

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all cases of surprise checks where unaccounted cash is found with the employee, in the premises of the office or with any unauthorized person in the office, the normal presumption shall be that it is the illegal amount obtained as bribe from the parties.

3. The examination of the district registrar also corroborating the fact that Sri A.Bhanumathi, I/C Sub-Registrar-I, Gudur should not all allowed unauthorized persons into the office.

Hence, the unaccounted cash of Rs.79,150/- which was found in the office premises and seized and unaccounted cash of Rs.60,000/- seized from the possession of document writers shall be presumed that the cash collected as bribe/illegal amount intended for SO-1 Smt. A.Bhanumathi, the Joint Sub-Registrar, Gudur, SPSR Nellore District. Thus the allegation is substantiated.

II. **Un-accounted amount of total Rs. 79,150/- was found at the time of Surprise Check on 29.07.2019 inside the office premises.**

<u>This is proved from the following evidence:</u>

Search of the premises of the O/o the Sub-Registrar, Gudur was made on 29.07.2019 at the O/o the Sub-Registrar, Gudur in the presence of two mediators. The search revealed that,

1. An amount of **Rs.30,150/-** was found on the left side of the Dias of Smt. A.Bhanumaathi, the I/C Joint Sub-Registrar, Gudur.
2. An amount of Rs.**19,000/-** was found under the wooden bench in the main hall, besides that the two office sub-ordinates namely (A) A.Pradeepkumar & (B) K.Srinu (Outsourcing) are standing.
3. Rs.**5,000/-** was found in the leather handbag of Smt. A.Bhanumathi, I/C Joint-Sub-Registrar-1, Gudur & one small written chitty (Slip) mentioning various amounts to be received from the document writers and others and deducted some amounts on the name of DR, JA, OS and other particulars. On examination by the DSP about the possession of Rs.5,000/- and the possession of chitty by her. On that, she admitted that the particulars were written by her in the chit with her handwriting and she did not enter the possession of Rs.5,000/- in the personal cash register. Hence the DSP seized Rs.5,000/- along with the chit for further enquiry.
4. Rs. **25,000/-** was found in a dust bin, which was kept under a table at the computer server room in which K.Kiranmayi, Jr. Asst. and K.Satyanarayan Murthy, Jr. Asst. (Out Sourcing) are sitting and working in the Sub-Registrar office, Gudur, **Total of Rs.79,150/-** was found and seized inside the office suspecting that the said amounts were collected by the staff from the claimants as well as document writers/Assistants to do the work of claimants, for further enquiry.
5. The said amounts were suspected as collected by the staff from the claimants as well as document writers/assistants as rewards or mamools for the work done to the claimants. The said amounts were seized for further enquiry. When questioned by the DSP, all the above staff stated in the presence of mediators that they had nothing to do with the said amounts. The explanations of the staff of Registrar Office, Gudur are not satisfactory.
6. On examination, the District Registrar Sri Choppa Gangi Reddy stated that as per the Govt., orders the Sub-Registrar is responsible/accountable if any amount other than declared in the personal cash register is found with any of the staff in the office. Hence, the I/C SRO and staff are personally responsible for the presence of excess amounts either at their seats or at their nearby.
7. Moreover, as per G.O.Ms.No.200, Dated: 26.03.2007 of GAD, Govt. of A.P. - All the Departments dealing with cash including revenue collecting departments shall give a declaration of personal cash at the time of reporting to duty if more than Rs.500/- and Cash may be declared while on tour if more than Rs.10,000/-. Hence the allegation is substantiated.

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III) The Surprise check was conducted on 29.07.2019, but the Account 'B' register last entry was made on 21.06.19 and Account 'C' register last entry was made on 15.07.2019. As per the reply given by the District Registrar, Gudur, SPSR Nellore District vide Letter No.G1/907/2020, Dated: 04.01.2021, B&C Registers have to be maintained by Sub-Registrar. But she failed to update and maintain the above registers.

This is proved from the following evidence:

During the surprise check, the DSP, ACB, Nellore Range verified the following registers: Account 'A' register (Daily Account of Registration in books 1,3 & 4 and fees realized thereon) -On perusal, it consists of 300 pages and is written up to the 14th page. This register has been maintaining since 11.07.19 in Vol. No.112. The last entry was made on 29.07.19; on that day Rs.1320/- was collected towards the amount of transfer duty collected and thereafter no entry in the register.

Account 'B' register (Daily Account of Receipts other than fees for registration and searches and copies) – On perusal, it consists of 200 pages and is written up to 44 pages. This register has been maintaining since 29.11.2011 in Vol. No.24. The last entry was made on 21.06.19

Account 'C' register (Cash Book) - On perusal, the register has 100 sheets and written up to 38 sheets. It has been maintaining since 24.12.2018 in Vol. No.42. The last entry was made on 15.07.2019.

The District Registrar Sri Choppa Gangi Reddy on examination stated that the I/c Smt A.Bhanumathi is responsible to update records that are maintained in the sub-registrar office, Gudur.

The copies of the above registers were seized and duly attest by the Sub-Registrar Smt A.Bhanumathi. Thus there is ample evidence to substantiate the fact that the above registers were not maintained properly. Thus the allegation is substantiated.

Thus, Smt. A.Bhanuamthi, Senior Assistant, I/C Joint Sub-Registrar-I, Gudur, SPSR Nellore District by her above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of Government servant and thereby contravened Rules 3(1) & (2) of APCS (Conduct) Rules, 1964.

Therefore the Government Servant rendered herself liable for departmental action for major penalty.

Hence the charge.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SMT A. BHANUMATHI, SENIOR ASSISTANT, I/C JOINT SUB-REGISTRAR-I, GUDUR, SPSR NELLORE DISTRICT ARE PROPOSED TO BE SUSTAINED.

DOCUMENTARY EVIDENCE:-

1) Surprise Check Proceedings Dated: 29.07.2019, drafted at O/o. Joint Sub-Registrar, Gudur in C.No.1/SC-ACB-NLR/2019.

It shows the surprise check proceedings, seizure of illegal amounts and seizure of Xerox copies of concerned registers.

2) Permanent Staff Attendance Register:

It proves that on 29.07.2019, Smt A. Bhanumathi, Sr. Asst, I/C Joint SRO-I, Sri Smt K. Kiranmai Jr. Asst and Sri A. Pradeep office sub-ordinate are present in the office and put their signatures in the attendance register in token of their attendance, during the surprise check. Sri EV. Jagan Mohan Rao is not available in the office during the check.

3) Personal Cash Register (Regular Staff):-

As per the register, it proves that in respect of Smt A. Bhanumathi Sr. Asst I/C Joint Sub-Registrar-1, Gudur and E.V . Jaganmohan Rao, Sr. Asst was not declared their cash in the personal cash register. But Smt A.Bhanumathi Sr. Asst I/C Joint Sub-Registrar-1, Gudur has an unaccounted amount of Rs.5000/. K. Kiranmai Jt. Asst. was entered Rs.390/- and A.Pradeep Kumar Office Subordinate is mentioned Rs.300/- and he signed.

4) Handwriting slip:-

As per the slip seized from the handbag of Smt. A. Bhanumathi I/C Joint Sub-Registrar it is proved that various amounts that have to be received from the document writers and others and deducted some amounts on the names of District Registrar, Junior Assistant, and Office Subordinate.

5) Photostat attested copies of Registered Documents:-

It proves that Registration of documents and Government Fee collected by the Joint Sub-Registrar-1 Gudur on 29.07.2019 for [13] thirteen documents vide Documents No. Doc. No.246/2019 (P), 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476 of 2019 before the arrival of ACB staff and 2 documents vide No.247/2019(Pending No.)& No.248/2019 (pending No.) were got registered during surprise check proceedings.

6) Account 'A' register (Daily Account of Registration in books 1,3& 4 and fees realized thereon):

On perusal, it consists of 300 pages and is written up to the 14th page. This register was being maintained from 11.07.19 in Vol. No.112. The last entry was made on 29.07.19 on that day Rs. 1320/- was collected towards the amount of transfer duty collected and thereafter there is no entry in the register.

7) Account 'B' register (Daily Account of Receipts other than fees for registration and searches and copies):

On perusal, it consists of 200 pages and is written up to 44 pages. This register was being maintained from 29.11.2011 in Vol. No.24. The last entry was made on 21.06.19.

8) Account 'C' register (Cash Book):

On perusal, the register has 100 sheets and is written up to 38 sheets. It was being maintained from 24.12.2018 in Vol. No.42. The last entry was made on 15.07.2019.

9) Letter of District Registrar, Nellore, SPSR Nellore District in E1/813/2019 Dated: 01.08.2019:-

Contd.,2

Containing the service particulars of Suspected Officers 1 to 4.

10) Rough sketch of the scene of the offence, Dated: 29.07.2019.

11) Letter No.E1/813/2019, Dated: 17.09.2019 of District Registrar, Gudur, SPSR Nellore District along with Memo No.X2/10708/1994, Dated: 30.12.1997 of The Commissioner and Inspector General of Regn., and Stamps :

As per the said memo in all cases of surprise check where unaccounted cash is found with the unauthorized persons in the office, the normal presumption shall be that it is the illegal amount obtained as a bribe from the parties and the onus of disproving the same will be on Charged Officer.

12) Letter No.E1/813/2019, Dated: 31.07.2019 of District Registrar, Gudur, SPSR Nellore District:-

Regarding staff particulars working in the office of Sub-Registrar Office, Gudur, SPSR Nellore District.

13) Letter No.G1/907/2020, Dated: 04.01.2021 of District Registrar, Gudur, SPSR Nellore District along with G.O.Ms.No.200, Dt.26.03.2007 of GAD, Govt., Circular Memo. No.40254/Vig.VI(1) 2008, dt.29.09.2008 and Circular Memo. No. CARD2/ 5979/2003, dt.18.04.2013.

As per G.O.Ms.No.200, Dated: 26.03.2007 of GAD, Govt. of A.P. - All the Departments dealing with cash including revenue collecting departments shall give a declaration of personal cash at the time of reporting to duty if more than Rs.500/- and Cash may be declared while on tour if more than Rs.10,000/-

14) Memo No.101/SPL.8/2000-4, Dated 17.04.2001 of the General Administration (Special-8) Department:

As per memo No.101/SPL.8/2000-4, dated 17.04.2001 of the General Administration (Special-8) Department, Government of Andhra Pradesh discloses that no manual or any procedure is prescribed to engage a private person to perform certain official duties during departmental activity. It is illegal and also amounts to misconduct to indulge in such activities.

15) Circular Memo No.X2.10708/1994 issued by the office of the Commissioner and Inspector General of Registration & Stamps, AP, Hyderabad, Dt.30.12.1997:

As per the said memo in all cases of surprise check where unaccounted cash is found with the unauthorized persons in the office, the normal presumption shall be that it is the illegal amount obtained as a bribe from the parties and the onus of disproving the same will be on Charged Officer.

If any document is found to be necessary, will be produced at the time of enquiry.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SMT A. BHANUMATHI, SENIOR ASSISTANT, I/C JOINT SUB-REGISTRAR-I, GUDUR, SPSR NELLORE DISTRICT ARE PROPOSED TO BE SUSTAINED

ORAL EVIDENCE:

The following oral evidence is available on record.

1. Sri Rayaprolu Ramababu, S/o Late R.Narasimha Murthy, age.52 yrs, Occ: Secretary, Nellore Municipal Corporation, Nellore, R/o Krishna Mandiram 1st Crossroad, BV Nagar, Nellore city, SPSR Nellore District. 9704258885 (Mediator-I)

He speaks about the happenings of the surprise check conducted on the office of Joint Sub-Registrar, Gudur, SPSR Nellore District on 29.07.2019 from 17.00 hours to 23.00 hours, etc. facts.

2) Sri Kosinapogu Nagendra s/o Late Salman, age.29 yrs, Occ: Jr. Asst., Nellore Municipal Corporation, Nellore city, R/o UsmanSahebpet, Ramnagar, Nellore city, SPSR Nellore District. 9550996853. (Mediator-II)

He also speaks about the happenings of the surprise check conducted on the office of Joint Sub-Registrar, Gudur, SPSR Nellore District on 29.07.2019 from 17.00 hours to 23.00 hours, etc. facts.

3) Statement of Budidavaka Venkatarathnachari, S/o Krishnamachari, age.41 yrs, Occ: Document Writer, R/o Veerampalli Village, Manubolu Mandal, SPSR Nellore District.

He stated that he used to collect Rs.500/- towards preparation charges for each document and also as per the directions of Smt. Bhanumathi, I/C Sub-Registrar, Gudur, used to collect excess amount i.,e 0.5 % on the market value from the parties and the same were used to be handed over to I/C Sub-Registrar Smt. Bhanumathi. On 29.07.2019 he collected Rs 24,000/- towards mamools and entered into the Sub-Registrar Office, Gudur with intent to handover the amount of Rs.24,000/- to I/C Sub-Registrar, by which time ACB officials conducted a raid on the O/o the Sub-Registrar, Gudur and seized Rs.24,000/- from him. Further, he stated that the ACB Officials also seized some amounts from I/C Sub-Registrar and also in the computer room, etc facts.

4) Statement of Sri Vepakomma Mohan Krishna, S/o AchyuthaRao, age. 60 Yrs, Occ: Document Writer, near LAP School, Gudur Town. 9440847881.

He also corroborated and supported the facts stated by Budidavaka Venkatarathnachari, etc facts.

5) Statement of Sri BandiMurali, S/o. Kallaiah, age.45 yrs, Occ: Document Writer, R/o D.No.15/148, Gudur Town. 9441094959.

He also corroborated and supported the facts stated by Budidavaka Venkatarathnachari, etc facts.

6) Statement of Sri Dasari Dilip S/o Mastanaiahm, age.33 yrs, Occ: Asst. at Document writers, R/o Eguvaveerampalli Village, West Gudur, Nellore District. 9494646530.

He also corroborated and supported the facts stated by Budidavaka Venkatarathnachari, etc facts.

Contd.,2

7) Statement of Sri Panguluru Surendra S/o Subbaraiah, age.42 Yrs, Occ: Document writer R/o 1/541, Janakiraopet, West Gudur, Nellore District. 9490831137.

He also corroborated and supported the facts stated by Budidavaka Venkatarathnachari, etc facts.

8) Pullakuru Penchala Prasad, S/o PedaPenchalaiah, age. 31 yrs, occ: Computer Asst. at Document writer, Akumpet Village, Manubolu Mandal, SPSR Nellore District. 8019356531.

He also corroborated and supported the facts stated by Budidavaka Venkatarathnachari, etc facts.

9) Dubagunta Venkata Chelamaiah, S/o Late Lakshmi Narasimha, age.49 yrs, Occ: Document writer, R/o Vinduru Village & Post, Gudur Mandal, Nellore District.

He also corroborated and supported the facts stated by Budidavaka Venkatarathnachari, etc facts.

10. Sri Choppa Gangireddy S/o. Chengalreddy, 59 yrs, District Registrar, Stamps & Registration Department, Guduru.

He stated that Smt A. Bhanumathi, Sr. Asst. has been acting as I/C Sub-Registrar from 09.07.2019 onwards. Further, he stated that the presence of a document writer or their assistant inside the Registrar office is not permitted at the time of registration. He specifically stated that licensing system of document writers is not there in the department. Further temporary I/C Sub-Registrar is responsible to update records that are being maintained in the Registrar office. He further added that any amount other than declared in the personal cash register is found with any of the staff in the office, the government makes the Sub-Registrar responsible/ accountable. Further, allowing unauthorised persons to work in the office without any order from the superiors, is also irregular on the part of the temporary I/C Sub-Registrar. Sri EV Jagan Mohan Rao, Senior Assistant O/o Joint Sub-Registrar, Gudur was found absent on 29.07.2019 without obtaining leave from the competent authority etc facts.

11) Sri. A. Srihari Rao, Inspector of Police, ACB, Nellore Range, Nellore.

He speaks about the surprise check conducted over the O/o. Joint Sub-Registrar, Gudur on 29.07.2019 and assisting the DSP, ACB, Nellore in conducting of surprise check.

12) Sri B. Ramesh Babu, Inspector of Police, ACB, Nellore Range, Nellore

He speaks about the surprise check conducted over the O/o. Joint Sub-Registrar, Gudur on 29.07.2019 and assisting the DSP, ACB, Nellore in conducting of surprise check.

13) Sri Ch. D. Santho, DSP, ACB, Nellore Range, Nellore.

He Speaks about the surprise check conducted over the O/o. Joint Sub-Registrar, Gudur on 29.07.2019 and subsequent enquiries and submitting of report etc.

If any witness is found to be necessary, will be produced at the time of enquiry.

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER